

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: LECLAIRRYAN PLLC,
Debtor.

Case No. 19-34574-KRH
Chapter 7

LYNN L. TAVENNER,
as Chapter 7 Trustee,

Plaintiff,

v.

Adv. Pro. No. 20-03142-KRH

ULX PARTNERS, LLC and
UNITEDLEX CORPORATION,

Defendants.

ORDER

On January 11, 2021, ULX Partners, LLC and UnitedLex Corporation (the “Movants”) filed *Defendants’ ULX Partners, LLC’s and UnitedLex Corporation’s Motion to Partially Dismiss the Complaint* [ECF No. 17] (the “Motion to Dismiss”). On February 12, 2021, the Chapter 7 Trustee (the “Trustee”) filed a response [ECF No. 25] (the “Response”) to the Motion to Dismiss. The Movants filed a reply [ECF No. 26] to the Response on February 19, 2021. By the *Notice of Hearing* dated February 23, 2021 [ECF No. 27] and pursuant to the *Order Establishing Certain Notice, Case Management and Administrative Procedures [In re LeClairRyan PLLC, Case No. 19-34574-KRH, ECF No. 38]*, the Movants scheduled a hearing (the “Hearing”) on the Motion to Dismiss for March 25, 2021 at 11:00 a.m.

On January 11, 2021, and contemporaneously with the Motion to Dismiss, the Movants also filed *Defendants’ Motion to Withdraw the Reference and Memorandum in Support Thereof*

[ECF No. 13] (the “Motion to Withdraw”), seeking relief from the United States District Court for the Eastern District of Virginia (the “District Court”). By *Order* dated February 18, 2021, the District Court referred the Motion to Withdraw to this Court (the “Bankruptcy Court”) for proposed findings of fact and conclusions of law. *Order, ULX Partners, LLC v. Tavenner*, Case No. 21-cv-00077-DJN (Feb. 18, 2021), ECF No. 4. The Bankruptcy Court has not entered proposed findings of fact and conclusions of law and, as such, the Motion to Withdraw remains pending before the Bankruptcy Court.

On February 25, 2021, the Bankruptcy Court conducted an omnibus hearing (the “February Omnibus Hearing”) in the above-captioned chapter 7 bankruptcy case, at which counsel for the Trustee and counsel for the Movants appeared. At the February Omnibus Hearing, the Bankruptcy Court indicated that it would consider the Motion to Withdraw before the Motion to Dismiss. *See Millennium Studios, Inc. v. Man Roland, Inc. (In re Millennium Studios, Inc.)*, 286 B.R. 300, 306 (D. Md. 2002) (considering motion to dismiss complaint after motion to withdraw the reference). Accordingly, in light of the foregoing and for the reasons stated on the record in open court at the February Omnibus Hearing, it is hereby

ORDERED that the Hearing on the Motion to Dismiss be and it hereby is **CONTINUED** to **April 27, 2021 at 1:00 p.m.** Pursuant to the Court’s *Protocol in Response to Public Health Emergency*,¹ the Hearing will be conducted via Zoom for Government. Persons seeking to attend or participate in the Hearing must register in advance via the following link:

¹ A copy of the Protocol in Response to Public Health Emergency is available on the Court’s website at https://www.vaeb.uscourts.gov/wordpress/?wpfb_dl=860.

https://www.zoomgov.com/meeting/register/vJItcOGqrjIpGA3Ap42KB4_sK5wjtLNNqdA. In

addition, a listen-only line is available at:

Dial In: 1-866-590-5055

Access Code: 4377075

Security Code: 42721

DATED: March 23, 2021 /s/ Kevin R. Huennekens
UNITED STATES BANKRUPTCY JUDGE

Entered on Docket: March 24, 2021

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